PUBLIC SESSION MINUTES North Carolina State Board of CPA Examiners July 15, 2004

Grandover Resort and Conference Center Greensboro, NC

MEMBERS ATTENDING: Norwood G. Clark, Jr., CPA, President; Leonard W. Jones, CPA, Vice President; Arthur M. Winstead, Jr., CPA, Secretary-Treasurer; O. Charlie Chewning, Jr., CPA; Scott L. Cox, CPCU, CIC; Jordan C. Harris, Jr.; and R. Stanley Vaughan, CPA.

STAFF ATTENDING: Robert N. Brooks, Executive Director; J. Michael Barham, CPA, Deputy Director; and Noel L. Allen, Legal Counsel.

GUESTS: James T. Ahler, Executive Director, NCACPA; Sharon Bryson, Deputy Director, NCACPA; and Tom Chenoweth, CPA, Highland Publishing Company.

CALL TO ORDER: President Clark called the meeting to order at 10:04 a.m.

MINUTES: The minutes of the June 22, 2004, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The financial statements for June 2004 were accepted as submitted.

NATIONAL ORGANIZATION ITEMS: The Board reviewed the NASBA Examination Review Board's memorandum which stated that boards of accountancy could rely on the results of the scoring process and on the reasonableness of the content area performance profiles for the April/May 2004 Uniform CPA Examination testing window.

REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Vaughan moved and the Board approved the following recommendations of the Committee:

<u>200104-020 - Dewanda Dalrymple; Dalrymple & Grant, CPA, PLLC</u> - Approve the signed Consent Order (Appendix I).

200310-071 - Approve a Notice of Hearing for September 20, 2004, at 10:00 a.m.

9802-013 - Close the case without prejudice.

200402-008 - Close the case without prejudice.

Messrs. Vaughan and Jones moved to approve the Emergency Order for Revocation for Jerry Uriah Britt and Jerry U. Britt, CPA, P.A., Case No. 200103-011 and Case No. 200106-054. Motion passed with seven (7) affirmative and zero (0) negative votes (Appendix II).

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE:

Mr. Cox moved and the Board approved the following recommendations of the Committee:

Transfer of Grades Applications - The following were approved:

Lee Edward Knott III Daniel O. Morrow Lewis Edwin Williams

Original Certificate Applications - The following were approved:

Eric Bernard Almond

Kenneth Cornelius Barnette

Lori Beth Bohannon

Melissa Carrington Brammer

Nina Abaeva Burger Kelly Hasick Burns

Phillip Leopold Cadolino

Linda Slaydon Cary

Karen L. Cranford

Allison Stafford Doyle

Patrick David Freeman

Susan Gentry

Marcus Darnell Green

Rachel Ruberg Hardy

Megan M. Hauser

Jennifer Elizabeth Heim

Jeffrey Todd Hinshaw

Shannon Holder Hobby

William Preston Humphreys IV

Tiffany Anne Jackson

Jon Craig Kaempfer

Kristen Beck King

Lee Edward Knott III Jason Russell Lewis

Robert Sidney Lindenberg

Revill Ramsey Mallory

Vincent Elmore Mason III

Tanya Nadkarni Maturino

Daniel O. Morrow

Nancy Leigh Motley

Holly L. Neal

Justin Robert Pasfield

Allison Hope Perry

Rosa M. Pyle-Thornton

R. Mark Ritchie

Melissa B. Robinson

Katherine Henriksen Shubert

Alicia Dawn Silver

Angel Townsend Starnes

Charles Murray Tate Jr.

Robin Lynn Weavil

Lewis Edwin Williams

Lewis Edwin Williams

Brian Eugene Wise

Reciprocal Certificate Applications - The following were approved:

Steve Randolph Barton

Glenda J. Blasko

Elizabeth Bass Broadway

David S. Burnett

Jeffrey Dean Clevinger

Rajarshi Mandarak Desai

Mark Thomas DeVincentis

Brian Russell Dubay

Mark Vernal Erickson

Stephanie Lynne Ferguson

David Gerard Fix

William Wayne Hodge

Michael William Jackson

Erik C. Lioy

Shari J. Mauk Michael John Miller Jeffrey H. Moon Tammy A. Moon Jacqueline Mary Morlando Timothy Scott Naylor

Michael Lee Richards
Jeremy Michael Sawyer
Charles Thomas Smith III
Slater R. Solomon
Christopher Ross Steinmann

Temporary Permits - The following temporary permits were approved by the Executive Director and ratified by the Board:

Tara Ann Edwards T03048 Jason A. Enoch T03049 Robert W. Johns T03050 Carl Player Patterson T03051 Jeffrey Smith Greenway T03052 Tara Mechelle Sherbert T03053 Austin Penn Wachter T03054

Reinstatements - The following were approved:

Kimberly Ann Gough #25860 Andra Moore Martin #15307

Firm Registrations - The following professional corporations and professional limited liability companies were approved by the Executive Director and ratified by the Board:

LYNETTE J. ANDERSON, CPA, P.A. D.E. Gatewood and Company LEWIS & ASSOCIATES, P.C. AMBY H. PARRISH, CPA, P.C. Carl P. Patterson, CPA, PLLC GENE L. SCALVINI, CPA, P.C. Suzan H. Sluder, CPA, PA Darin Stafford, CPA, P.C. STEVE WOOD CPA. P.C.

Reclassifications - The Committee approved the request for retired status submitted by Robert Stanley Vaughan (#2351) because he is completely retired and does not receive any earned compensation for current personal services in any job whatsoever.

Extension Requests - The Committee approved Jon T. Vincent (#17136) for extension for completion of CPE until February 9, 2004.

Peer Review Matters

The firms listed below have not completed a quality review, and it is now more than 120 days late. Staff recommended referral to the Professional Standards Committee. The Committee approved staff recommendation:

Jerry U. Britt CPA PA Jerry Uriah Britt #13952 Ronald F. Finger CPA #9231 John R. Gay CPA #10903 David N. Hemphill CPA #11778

Keenan Smits & Associates Larry E. Vangen #28882 Jim Petersen CPA #26550 Thomas R. Sawyer CPA #27005

The firms listed below have not submitted firm renewals or termination notices more than 120 days after the deadline. Staff recommended referral to the Professional Standards Committee. The Committee approved staff recommendation:

Archerd & Cuthbertson PLLC
Charles W. Archerd #26371
Condit & Associates PLLC
Stephen R. Lillie #30021
J. Christen Rasmussen CPA #8638

Examinations - The Committee reviewed and approved the following staff approved applicants to sit for the CPA Examination:

Russell Glenn Allen Jibolu Gbadebo Ayodele Michelle Adams Blackwelder **Amy Catherine Bonnette** Sally Joelene Boseman Kendra Leslie Brewer Staci Suzanne Brown Robert Leonard Brue Nathan Alden Chrisawn Brandy Bumgarner Cline Marysol Diaz Colon Stephanie Michelle Couch Taunya Lynn Craig Mary Murray Croom Sherif M. Degheidy Joshua Thomas Downs Julie Denise Durham Charles Taylor Elks

Amy Michele Essick Gerald Wayne Falls Steven Burrell Farrar Sharon Faith Freeman Emily Reigle Gehlbach Amy Lynn Glover James Edward Good Ivar Reinhart Gram II Adam James Greiner Holly Eden Gresehover Julie Suzanne Hager Cynthia Hartis Haigler Mohammad F. Haque Evelyn Joyce Hickman Karen Lynn Hogan Michael Stuart Ives Jr Holly Beth Johnson Brandon Craig Kimball

Heidi Kinen Kelly Lynn Kiser Battle Niketu Girdharlal Kothadia Sheila Hunter Langston Ryan Jeremy Love Scott Duane McClure Jillianne Cox McGlamery Thelma S. McGuire Kimberly Bunce McIlwain Kerri G. McNeill Lauren Brooke McSwain Jennifer Lyn Meeks Amber Renae Monahan Joshua T. Munsey Kelly Dorri Neely Anthony Ryan Newton Leah Beth Payne Noel

Kelly Renee Roberts Pesanka Elizabeth Anne Peterson Theresa Combs Rhodes James William Roland Lyudmila Rudnitsky Jason Michael Shepherd Sara Wehman Shodd Kaysie Michelle Silver Calvin Earl Slade Preston Mark Stainback Layla Christina Stout Lauren Corinne Stuart Suzanne Marie Toruk Karin Hite Ventura Kimberly Leigh Williams Michal Ellen Yarborough

Rescind Form of Practice Statement - Larry E. Widis (#12798) signed a Form of Practice Statement due to his employment. However, due to a change in Mr. Widis' employment, staff recommended that the statement be rescinded. The Committee approved staff recommendation.

RESOLUTION: President Clark read a Resolution of Appreciation for R. Stanley Vaughan's service to the Board. President Clark instructed the Executive Director to make the Resolution a part of the minutes (Appendix III).

OATH OF OFFICE: Michael C. Jordan, CPA, was sworn the Oath of Office by President Clark.

ADJOURNMENT: Messrs. Jones and Jordan moved to adjourn the meeting at 11:00 a.m. Motion passed.

Respectfully submitted:

Attested to by:

Robert N. Brooks
Executive Director

Norwood G. Clark, Jr., CP.

President

NORTH CAROLINA WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #: 200104-020

Secesived JUN 16 2004

IN THE MATTER OF:
Dewanda S. Dalrymple, #17790
Dalrymple & Grant, Certified Public
Accountants, PLLC
Respondents

SUPPLEMENTAL CONSENT ORDER

THIS CAUSE, coming before the Board at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41 and 150B-22, the Board and Respondent stipulate the following Findings:

- 1. Respondent Dewanda S. Dalrymple (Respondent Dalrymple) is the holder of North Carolina certificate number 17790 as a Certified Public Accountant.
- 2. Respondent Dalrymple & Grant, Certified Public Accountants, PLLC (hereafter "Respondent firm"), is a licensed certified public accounting firm in North Carolina.
- 3. In November of 2001, the Board approved a Consent Order with Respondents regarding deficiencies in audits performed by Respondents.
- 4. Said Consent Order required that Respondents obtain pre-issuance reviews of all audits prepared by Respondent Dalrymple or prepared on behalf of Respondent firm for two (2) years from the date of said Consent Order and until Respondent firm received an unqualified opinion for a peer review which included a review of an audit.
- 5. A peer review report issued in May of 2002 found deficiencies in attest services being provided by Respondents. The North Carolina Peer Review Executive Committee accepted the peer review report and mandated that Respondent obtain, by May of 2003, a follow-up review of Respondent firm's review and compilation engagements.
- 6. The follow-up review noted compliance issues in the reviewed compilations and reviews which the reviewer characterized as "careless errors."
- 7. Respondents wish to resolve this matter by consent and agree that the Board staff and counsel may discuss this Order with the Board *ex parte*, whether or not the Board accepts this Order as written.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

- 1. Respondents are subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
- 2. Respondents' actions as set out above constitute violations of NCGS 93-12 (9)e and 21 NCAC 8N .0201, 8N .0209, 8N .0212, and 8N .0403.

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. Respondent firm shall obtain pre-issuance review of all reviews and compilations, including work papers, prepared by Respondent Dalrymple or prepared on behalf of Respondent firm until Respondent firm receives an unqualified opinion for a peer review which includes a review of reviews and compilations as well as audits. If said peer review does not include a review of reviews and compilations, Respondent firm shall continue to obtain pre-issuance review of each review and compilation until a peer review has been obtained that reviews reviews and compilations. The pre-issuance reviewer shall be approved by the Board prior to performing said reviews. Respondent firm may not use the same individual to perform both the peer review and any pre-issuance reviews.

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CONSENTED TO	THIS THE	/4 th DAY OF	June		, 2004.
	Respondent Allumpt Respondent	Dalrymple () Laur Cur Dalrymple & Gran	tifus Rublei S	Accountants,	PLL Cants, PLLC
APPROVED BY T	HE BOARD TH	HIS THE	_ DAY OF	JULY	
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	BY:	May or or	MCO. I	0	

NORTH CAROLINA WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #: #s: 200103-011 and 200106-054

IN THE MATTER OF: Jerry Uriah Britt, #13952 Jerry U. Britt, CPA, P.A. Respondents

EMERGENCY ORDER FOR REVOCATION

Upon substantial evidence, the Board finds that Respondents have engaged in general and specific conduct demonstrating that Respondents are no longer qualified or fit to continue respectively to hold a certificate as a Certified Public Accountant or to hold a license as a CPA firm. Specifically, during the relevant period of time through and including the present, while Respondents have been licensees and have been engaged in rendering accounting services to the public, there is substantial unrefuted evidence that Respondent committed each of the following acts or omissions in violation of the North Carolina accountancy laws and rules (GS §93-12 (8c), 93-12 (9)e, and 21 NCAC 8M .0105 (a), 8N.0203 (b)(1) and (3), and previous Board Rule 8M .0102 (b):

- 1. Respondent Jerry Uriah Britt (hereinafter "Respondent Britt) is the holder of North Carolina certificate number 13952 as a Certified Public Accountant.
- 2. Respondent Jerry U. Britt, CPA, P.A. (hereinafter "Respondent firm") is a licensed certified public accounting professional corporation in North Carolina. Respondent Britt is the president and sole shareholder of Respondent firm.

Count 1 - Failure to Comply with Board Orders

- 3. In August of 2001, Respondent Britt entered into a Consent Order with the Board regarding attest services that he provided through Respondent firm to three North Carolina towns. In addition to other requirements, that Consent Order mandated that Respondent Britt obtain pre-issuance reviews of all governmental audits completed by Respondent Britt or Respondent firm during the period from August 20, 2001, through March 20, 2003. However, Respondent Britt failed to comply with the pre-issuance review requirements of the August 2001 Consent Order.
- 4. In September of 2003, Respondent Britt signed a Supplemental Consent Order agreeing to obtain pre-issuance reviews of all audits until such time as Respondent firm receives an unmodified opinion on a peer review which includes at least one governmental audit.

- 5. On October 22, 2003, Board staff served Respondent Britt with a copy of the Supplemental Consent Order approved by the Board at its October 20, 2003, meeting. Accompanying the Supplemental Consent Order was a letter from the Board reminding Respondent Britt that, pursuant to the terms of the Supplemental Consent Order, he was required to have pre-issuance reviews of all audits until the Board received and accepted an unmodified peer review report which included at least one governmental audit. In said letter, Respondent Britt was also reminded that he must obtain Board approval of any pre-issuance reviewer and that the reviewer would need to provide the Board with a copy of the reviewer's report and any comments.
- 6. On January 13, 2004, Board staff received a telephone call from the North Carolina Local Government Commission (LGC) regarding Respondent Britt's pre-issuance review of the Town of Mt. Olive's 2003 audit. The LGC subsequently provided to Board staff a copy of a January 15, 2004, letter from the LGC to Respondent Britt regarding corrections to the 2003 Mt. Olive audit and asking Respondent Britt for a copy of the pre-issuance review report.
- 7. On February 19, 2004, Board staff wrote to Respondent Britt regarding the attest services that he was providing to clients and his explanation as to how he was in compliance with the pre-issuance review requirement as mandated by his Supplemental Consent Order.
- 8. On March 17, 2004, Board staff sent a second letter to Respondent Britt's last known business address by certified/return receipt mail requesting his response to Board staff's February 19, 2004, letter. The letter was received and signed for by a representative of Respondent firm on March 18, 2004.
- 9. On April 13, 2004, Board staff received Respondent Britt's response to Board staff's February 19, 2004, letter. In said response, Respondent Britt stated that he had prepared at least one audit during 2003 but Respondent Britt did not explain how he had complied with the Supplemental Consent Order.
- 10. After Board staff requested additional information in a letter dated April 16, 2004, Respondent Britt replied, in a letter dated April 30, 2004, that he had not obtained a pre-issuance review of the audit because the audit was already late. Respondent Britt claimed that his delay was caused by a delay in receiving information from the Town of Mt. Olive.

Count 2 - Failure to Comply with State Quality Review

- 11. On February 3, 2004, Board staff received a 2004 renewal for Respondent firm submitted by Respondent Britt. Respondent Britt and Respondent firm failed to submit, with the renewal for Respondent firm, information showing compliance with the Board's State Quality Review (SQR) program as mandated by previous Board Rule 21 NCAC 8M .0102 (b) which was required to be completed by December 31, 2003.
- 12. On February 18, 2004, Board staff sent a letter, by certified/return receipt mail, to Respondent firm and Respondent Britt's last known business address requesting that Respondents provide the Board with documentation proving compliance with the Board's SQR program. Respondents signed the return receipt card on February 19, 2004.
- 13. To date, no response has been received from either Respondent regarding the SQR for Respondent firm.
- 14. In light of the potential irreparable harm to the public, as well as the seriousness of Respondent Britt's failure to comply with the original Consent Order, continued failure to comply with the Supplemental Consent Order, failure to ensure that Respondent firm completed a SQR, and in light of Respondents' continued and flagrant violations of Board Orders and Board Rules; the Board finds that the public welfare requires emergency action.

The Board therefore issues this Emergency Order, pursuant to N.C.G.S. §150B-3(c), to revoke Respondent Britt's certificate as a Certified Public Accountant and to revoke the firm registration for Respondent firm. This Order is effective immediately at the time of service of this Order upon the Respondents, and shall remain in effect until this proceeding, pursuant to NCGS §150B, may be concluded. This Order shall constitute the Notice of Hearing to be held for this matter in the Board Office on September 20, 2004, at 10:00 a.m.

Adopted by a vote of <u>7</u> to <u>0</u> by the Board on this the <u>15th</u> day of <u>July, 2004</u>.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BOARD SEAL

President Clark J

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS



RESOLUTION

WHEREAS, R. Stanley Vaughan has served as a member of the North Carolina State Board of Certified Public Accountant Examiners since 1998;

WHEREAS, during his tenure he served as President and Vice President of the Board; Chair of the Executive Committee, Chair of the Professional Standards Committee, and a Member of the Personnel Committee;

WHEREAS, he has represented the Board and the profession through his service on committees of the National Association of State Boards of Accountancy, the American Institute of CPAs, and the North Carolina Association of CPAs;

WHEREAS, during his tenure he has served faithfully and tirelessly, and has risen as a leader in his profession and is an eloquent spokesman for the best interest of the public and the profession;

BE IT THEREFORE RESOLVED that the members of the North Carolina State Board of Certified Public Accountant Examiners thank R. Stanley Vaughan for his dedicated service, his personal sacrifice to serve the public interest, and his leadership to the Board.

This the 15th day of July 2004.

North Carolina State Board of Certified Public Accountant Examiners

Norwood G. Clark, Jr., CPA

President

